UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,891	06/29/2001	Michael Joseph Calderaro	AUS9-2001-0237-US1	7073

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IBM CORPORATION- AUSTIN (JVL)
C/O VAN LEEUWEN & VAN LEEUWEN
PO BOX 81641
AUSTIN, TX 78758-1641

EXAMINER
LU, KUEN S

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 01/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/895,891	CALDERARO ET AL.
	Examiner	Art Unit	
	Kuen S Lu	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 August 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendments

1. The Action is responsive to the Applicant's Amendments, filed on August 5, 2004.

The amended title is noted and considered.

2. In responding to Applicant's Amendments made to the claims where independent

claims were amended for clarification was noted, the Examiner has created this Office

Action for Final Rejection (hereafter "the Action") as shown next. Noted in the Action,

the Examiner cited the same references and maintained the same position as set forth

in the Office Action for non-Final Rejection, dated May 6, 2004. Also noted in the

Action, the reference "Oracle Human Resources, North American User's Guide" is now

referred to as "OraHRMS" for clarification.

3. As for the Applicant's Remarks on claim rejections, filed on August 5, 2004, has

been fully considered by the Examiner, please see discussion in the section *Response*

to Arguments, following the Office Action for Final Rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over OraHRMS (Oracle Human Resources, North American User's Guide, Release 11, Volume 1, March 1998, hereafter "OraHRMS") and in view of Bapat et al. (U.S. Patent 6,236,996, hereafter "Bapat").

As per independent claims 1, 8 and 14, OraHRMS teaches the "the first view including employee profile information corresponding to a plurality of employees" at Page 13-2, lines 8-10 by using people folder as the first view to find people of interest.

OraHRMS does not specifically teach excluding rows from a first view to directly create a second view, although OraHRMS teaches creating a new window from an existing first view, for example at Page 8-24 by displaying a payroll batch window and selecting the **Defaults** to display a second window at Page 8-25.

However, OraHRMS teaches excluding assignments from an assignment set and saving the rest of the assignments into a new set at Pages 30-16 and 30-17, and further teaches entering additional query criteria to create new view as desired at Pages 7-45 and 7-46.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teaching of creating new window from existing window, and creating new view based on additional query criteria from the OraHRMS reference by using the new query criteria to exclude records as selected from a first view to generate a second view because an ordinary skilled in the art who could create views would have known that view can be used to hide or include some

rows from user(s) through the implementation of a **where** clause in a SQL statement.

Furthermore, creating a narrower view from a broader view is a common daily routine to

ordinary skilled in the art, for example, hiding some icons on PC monitor, opening

portion of file directories and narrowing down context searches of documents. This

practices all have something in common: excluding some records from a first view to

result in a narrower next view.

OraHRMS does not specifically teach "granting view access to the second view to

one or more of the selected employees", though OraHRMS teaches granting permission

to roles process at Page 34-15, Paragraph "ROLEGEN".

However, Bapat teaches granting query on a view to user(s) at col. 22, lines 1-22.

It would have been obvious to one having ordinary skill in the art at the time of the

applicant's invention was made to combine the teachings of Caffola and Bapat by

granting **select** permission of view to user(s) as desired because the execution of

creating and granting view in two subsequent steps is a well know practice to one

ordinary skilled in the art.

As per claims 2, 9 and 15, OraHRMS further teaches "displaying the employee profile

information in the second view on one or more display devices" and "wherein at least

one of the display devices corresponds to one of the selected employees"

at Page 13-2, lines 8-10 by using people folder as the first view to find people of interest

and then using inquiry window as the second view to show specific information about a

person (Page 13-2, lines 11-12) who him/herself is running the HRMS application;

As per claims 3, 10 and 16, OraHRMS further teaches "simultaneously displaying employee profile information pertaining to the second view to a plurality of collaborating employees, wherein the collaborating employees include at least one of the selected employees" at Page 14-36 by showing the assignment history window, as the first view, for all of an employee's assignments while the assignment folder window being utilized as the first view (Page 30-3, lines 14-16);

"receiving an employee profile change request to revise the employee profile data corresponding to one of the employees, the received request being from one of the collaborating employees" at Page 14-4 (last paragraph) and Page 14-9;

"modifying the employee profile data according to the request" at Page 14-4 (last paragraph) ; and

"displaying the modified employee profile data to the plurality of collaborating employees" at at Page 14-36 by showing the assignment history window, as the first view, for all of an employee's assignments while the assignment folder window being utilized as the first view (Page 30-3, lines 14-16).

As per Claims 4, 11 and 17, OraHRMS further teaches "the first view corresponds to a manager and wherein each of the excluded employee profiles corresponds to an employee that reports to the manager" at Pages A-31 by navigating the "Organization" menu for reaching an organization in the hierarchy, and Page 2-38, Paragraph "To create a new version of an existing hierarchy" by having subordinates block modified for including the employees with profiles excluded corresponding to the employee reports to the organization manager.

As per Claims 5, 12 and 18, OraHRMS further teaches "storing second view data corresponding to the second view on a nonvolatile storage area, the second view data including a grant list of employees that were granted access to the second view and an exclusion list of employee profiles that were excluded from the second view" at Page 34-2 by controlling user's access through records and organization information types and, then storing the information by using Oracle Application Data Export to export and save the data in the view to storage (Page 30-2).

As per claims 6, 13 and 19, OraHRMS further teaches "receiving a view request from a requesting employee" at Page 14-28 by listing people by assignment;

"retrieving the second view data" at Page 14-36 by listing an assignment history of person(s) selected from the first view;

"comparing the requesting employee with the grant list of employees" at Page 34-2 by controlling user's access through records and organization information types; and

"determining whether to allow the requesting employee access to the second view in response to the comparison" Page 14-29 by restricting a further review of the list.

As per claims 7 and 20, OraHRMS further teaches "displaying a list of reporting employees to a manager" at Page 14-29 by displaying the assignment list; and

"wherein the selecting includes receiving one or more exclusion selections from the manager in response to the displayed list" at Page 14-29, lines 11-12 (excluding counting lines in the table) by further restricting the list of the employees to be displayed.

8. The prior art made of record

U. Oracle Human Resources, North American User's Guide, Release 11, Volume 1,

March 1998.

A. U.S. Patent   6,236,996

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

B. U.S. Pub. No.   2002/0184148

C. U.S. Pub. No.   2002/0182178

D. U.S. Pub. No.   2003/0216957A1

E. U.S. Pub. No.   2003/0154098

F. U.S. Patent   6,460,036

Response to Arguments

9.   The Applicants' arguments filed on August 5, 2004 have been fully considered but

they are not persuasive, for the Examiner's response, please see discussion below.

In the Remarks, filed on August 5, 2004, concerning the independent claims 1, 8 and

14, the Applicant argued mainly, in lengthy pages, that the Cafolla reference (the

"OraHRMS" in the Action) does not teach "selecting one or more employees to exclude

from a first view" to create a second view on which the excluded employees do not

appear. The Applicant further argued that the Bapat reference does not teach or

suggest "granting users (employees) access to a view after excluding data

corresponding to such users (employees) from the view".

As to the above arguments, the Examiner respectfully disagreed. First of all, the non-

Final Office Action Rejection is based on 35 U.S.C. ξ 103(a) by combining teachings

from one or more references together to provide every teaching as set forth by the limitations of claims. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the OraHRMS reference is a human resource management system where views are created from views as cited in the Action, furthermore, as the Examiner clarified, the OraHRMS teaches excluding assignments from an assignment set to save as a new assignment set. The teaching of creating views from views of OraHRMS, further in view of teaching from the same reference on excluding assignments from an assignment set to create a new assignment set, clearly suggests the teaching of "selecting one or more employees to exclude from a first view" to create a second view on which the excluded employees do not appear.

As to the argument that the Bapat reference does not teach or suggest "granting users (employees) access to a view after excluding data corresponding to such users (employees) from the view", the Examiner respectfully disagreed. The SQL statement "GRANT SELECT ON view_table1_scott TO scott" does grant a database object, including a view, to specific user(s) as long as the object has already been existed, regardless how the view was created. The examiner recognizes that obviousness can

only be established by combining or modifying the teachings of the prior art to produce

the claimed invention where there is some teaching, suggestion, or motivation to do so

found either in the references themselves or in the knowledge generally available to one

of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir.

1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case,

as explained in previous paragraph, the combined teachings from OraHRMS provided

the teaching of "selecting one or more employees to exclude from a first view" to create

a second view on which the excluded employees do not appear. A further in view of the

teaching of "granting view to user(s)" from the Bapat reference does suggest "granting

users (employees) access to a view after excluding data corresponding to such users

(employees) from the view".

10. As to dependent claims 2-7, 9-13 and 15-20, which depend on claims 1, 8 and 14,

respectively, the Examiner applies the above stated arguments for the respective claim

upon which they depend.

11. In light of the forgoing arguments, the 35 U.S.C ξ 103 rejections for Claims 1-20 is

hereby sustained.

Conclusion

12. THIS ACTION IS MADE FINAL.

The Applicants are reminded of the extension of time policy as set forth in 37 CFR

1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

12. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is

considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed

in this action, please contact Lisa Craney whose telephone number is 571-272-3574 for

faster service.

13. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kuen S Lu whose telephone number is 571-272-4114.

The examiner can normally be reached on 8 AM to 5 PM, Monday through Friday.

If at tempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Breene can be reached on 571-272-4107. The fax phone number for

the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-3900.

Kuen S. Lu

Patent Examiner

January 16, 2005

Luke Wassum

Primary Examiner

January 16, 2005